

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

PAUL STATEN and ISLAND ENTERPRISES,)
INC.,)
)
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Plaintiffs,)
)
)
v.) No. 04-CV-504 TCK/SAJ
)
DELAWARE COUNTY, et.al.,)
)
)
Defendants.)

OPINION AND ORDER

Comes on for determination United States' Motion for Notification and Opportunity To Respond To Proposed Orders or Notices Related To Airport Property [Dkt. #178], and the Court, having considered the argument and authorities submitted by the parties, finds the Motion shall be denied in part and granted in part as follows.

United States seeks to be notified and to be given an opportunity to respond to proposed orders or notices related to airport property which is the subject of this action without intervening as a party. The relief requested is not specifically authorized pursuant to 28 U.S.C. §517 and creates an undue burden on counsel of record. The motion should therefore be denied as to the initial prayer for relief.

However, the Court notes that as part of the motion, at footnote 1, United States seeks an alternative right to intervene in the event the Court does not grant the initial request. The Court finds intervention by the United States is a more appropriate remedy and grants United States leave to intervene in the above styled case.

IT IS THEREFORE ORDERED THAT the United States' Motion for Notification and

Opportunity To Respond To Proposed Orders or Notices Related To Airport Property [Dkt. #178] be denied in part and granted in part as set forth herein.

DATED THIS 17th DAY OF NOVEMBER, 2005.



Sam A. Joyner
United States Magistrate Judge